

ENTERED

April 20, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DELIA RIOS CANALES,

Plaintiff,

V.

ANDREW SAUL,

Defendant.

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CIVIL ACTION NO. 2:20-CV-00168

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

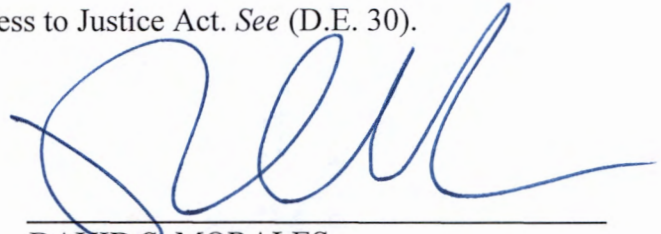
Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 34). The M&R recommends that the Court grant the motion for attorney's fees, (D.E. 31), filed by Plaintiff's counsel, Mr. Ronald D. Honig. (D.E. 34, p. 1–2, 4). The M&R further recommends that Honig be ordered to refund his client the \$5,105.68 award he previously received under the Equal Access to Justice Act. *Id.* at 4; *see also* (D.E. 30) (granting Mr. Honig's motion for attorney's fees and expenses and awarding him \$5,105.68).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Badaiki v. Schlumberger Holdings Corp.*, 512 F. Supp. 3d 741, 743–44 (S.D. Tex. 2021) (Eskridge, J.).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 34). Accordingly, the Court

GRANTS Mr. Honig's motion for attorney's fees and awards \$16,723.75 as reasonable attorney's fees in this case. (D.E. 31). The Court further **ORDERS** Mr. Honig to refund Plaintiff the \$5,105.68 award he received under the Equal Access to Justice Act. *See* (D.E. 30).

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'D. Morales', is written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
April 19, 2023